

BURNS FLOOR AMENDMENT

SENATE AMENDMENTS TO S.B. 1373

(Reference to printed bill)

1 Page 1, line 5, strike “~~article~~ CHAPTER” insert “article”

2 Strike lines 9 and 10

3 Rerumber to conform

4 Page 3, strike lines 11 through 43

5 Strike page 4, insert:

6 “Sec. 3. Section 3-710, Arizona Revised Statutes, is amended to read:

7 3-710. Powers and duties

8 A. The department may acquire and distribute to persons interested
9 useful information relative to the preparation for market, handling,
10 purchasing, transportation, storage and marketing of eggs and egg products,
11 including the demonstration of how to classify eggs and egg products in
12 accordance with the uniform standards and grades prescribed pursuant to this
13 chapter.

14 B. The department may issue in booklet form copies of this article
15 containing complete descriptive terms as to shell, aircell, white, yolk and
16 germ, and may make changes in definitions of terms and grades as they are
17 made and promulgated by the United States department of agriculture.

18 C. Upon request of the United States government, and others, the
19 director may negotiate and sign cooperative agreements to do inspection and
20 grading services and charge and receive payment for the reasonable cost
21 thereof. The funds received for such services shall be deposited, pursuant
22 to sections 35-146 and 35-147, in the state egg inspection ~~account~~ FUND.

23 D. When the production of papers, books and records relating to any
24 matter under investigation is deemed advisable, the director may apply to the
25 superior court in any county for an order requiring the production of the
26 papers, books and records. If the court is satisfied that the papers, books
27 and records are pertinent to the matter under investigation, their production
28 shall be ordered.

1 E. A complaint filed with the department charging a noncompliance with
2 or violation of any provision of this article shall be in writing and signed
3 by the complainant.

4 F. The supervisor and inspectors shall enforce the provisions of this
5 article in conformity with rules adopted by the director. The refusal of an
6 officer authorized under this article to carry out the orders and directions
7 of the director in the enforcement of this article or prosecutions thereunder
8 is neglect of duty. The director shall make and enforce such rules as he
9 deems necessary to carry out the provisions of this article.

10 G. An inspector may enter and inspect any place or conveyance within
11 the state over which he has supervision where eggs are produced, candled,
12 incubated, stored, packed, delivered for shipment, loaded, shipped,
13 transported or sold, and may inspect all invoices, eggs and the cases and
14 containers thereof and equipment found in the places or conveyances, and may
15 take for inspection representative samples of the invoices, eggs and cases or
16 containers for the purpose of determining whether or not any provision of
17 this article has been violated.

18 H. An inspector may, while enforcing the provisions of this article,
19 seize and hold as evidence an advertisement, sign, placard, invoice, case or
20 container of eggs or egg products or all or any part of any pack, load, lot
21 consignment or shipment of eggs or egg products packed, stored, delivered for
22 shipment, loaded, shipped, transported or sold in violation of any provisions
23 of this article.

24 I. THE DEPARTMENT MAY PRESCRIBE MINIMUM STANDARDS FOR EGG PROCESSING
25 PLANTS AND SANITARY STANDARDS FOR THE PROCESSING OF SHELL EGGS. THE
26 DEPARTMENT SHALL ESTABLISH THESE STANDARDS BY RULE. CHEMICALS USED IN EGG
27 PROCESSING PLANTS, SANITIZERS USED IN EGG PROCESSING, EGG SOAPS, EGG OIL AND
28 OTHER SUBSTANCES USED IN PROCESSING SHELL EGGS ARE SUBJECT TO THE APPROVAL OF
29 THE DIRECTOR.

30 J. THE DIRECTOR SHALL ADOPT RULES FOR POULTRY HUSBANDRY AND THE
31 PRODUCTION OF EGGS SOLD IN THIS STATE. THIS SUBSECTION DOES NOT APPLY TO EGG

Senate Amendments to S.B. 1373

1 PRODUCERS OPERATING OR CONTROLLING THE OPERATION OF ONE OR MORE EGG RANCHES
2 EACH HAVING FEWER THAN TWENTY THOUSAND EGG-LAYING HENS PRODUCING EGGS.

3 K. CONSISTENCY OF POULTRY HUSBANDRY PRACTICES FOR THE PRODUCTION OF
4 EGGS IS A STATEWIDE MATTER. THE REGULATION OF POULTRY HUSBANDRY PRACTICES
5 RELATED TO THE PRODUCTION OF EGGS IS NOT SUBJECT TO FURTHER REGULATION BY A
6 COUNTY, CITY, TOWN OR OTHER POLITICAL SUBDIVISION OF THIS STATE.”

7 Amend title to conform

3/13/08
8:13 AM
S: MG/jas